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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,471	04/21/2006	Frank J. M. Benschop	PHNL031299US	1170

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
595 MINER ROAD  
CLEVELAND, OH 44143

EXAMINER
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BOR, HELENE CATHERINE

ART UNIT	PAPER NUMBER
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3768

MAIL DATE	DELIVERY MODE
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06/15/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/595,471

Applicant(s)

BENSCHOP ET AL.

Examiner

Helene Bor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/21/2006</u> | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Acknowledgement of Preliminary Amendments***

1. For the record, acknowledgement is made of the applicant's preliminary amendments to the claims under 37 CFR 1.115. It is acknowledged that applicant amended claim, 1. Under examination are the newly amended and original claims, 1-9.

### ***Specification***

2. The disclosure is objected to because of the following informalities: The arrangement of the specification is not correct as it lacks the section headings.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.

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(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

Appropriate correction is required.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 316. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

4. Claim 9 is objected to because of the following informalities: The preamble "A diagnostic imaging system, in particular a magnetic resonance imaging system as claimed in Claim 1". Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claim 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki'603 (US Patent Application No. 2003/0123603 A1).

**Claim 1:** Suzuki'603 teaches a diagnostic imaging system, in particular a magnetic resonance imaging system [computer tomography apparatus] (Abstract). Suzuki'603 teaches a control system to control the execution of operational items by the diagnostic imaging system (Page 2, Para 0013). Suzuki'603 teaches a user interface coupled to the control system, the user interface including a scheduler module which generates an ordered selection of operational items (Page 2, Para 0012).

**Claim 2/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the operational items have respective parameter settings (Figure 4) and the scheduler module is set up to form the ordered selection of operational items on the basis of their respective parameter settings (Page 5, Para 0066 & Page 8, Para 0082).

**Claim 3/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the control system controls the execution of operational items on the basis of an execution list (Page 6, 0069) and the scheduler releases operational items according to the ordered selection (Page 9, Para 0096).

**Claim 4/3/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the scheduler releases operational items in dependence of successful completion of preceding operational items of the ordered selection (Page 9, Para 0096).

**Claim 5/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the scheduler module is provided with a memory (Page 4, Para 0050), in particular a database with a browser (Figure 4), to store scan schedules.

**Claim 6/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the scheduler module is arranged to issue instructions to the user prompted by the operational items (Page 6, Para 0067).

**Claim 7/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the scheduler module is arranged to make available to the user interface a description of the operational item, in particular in dependence of the operational item being released to the execution list (Page 9, Para 0096).

**Claim 8/1:** Suzuki'603 teaches a diagnostic imaging system, wherein the scheduler module is arranged to provide progress information to the user interface, said progress information being related to the way the execution of operational items is advancing (Page 6, Para 0070).

**Claim 9/1:** Suzuki'603 teaches a diagnostic imaging system, with a displaceable patient support [bed] wherein the control system [bed control unit] is set up to displace the patient support [bed] among various imaging positions (Page 3, Para 0042). Suzuki'603 teaches conducting several imaging sequences at individual imaging positions and to alternate performance of the several imaging sequences with the

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displacement of the patient support among the various imaging positions (Page 6, Para 0067).

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Chang; Paul Joseph et al. User interface for a medical informatics systems . 05/11/2004. US 6734880 B2.
- b. Dinstein; Doron et al. System and method for analysis of imagery data , 07/27/2004. US 6768811 B2.
- c. Drummond; Danielle et al. Method and apparatus for acquiring and analyzing cardiac data from a patient, 09/30/2003. US 6628743 B1.
- d. Hafey; Christopher et al. Methods and apparatus for controlling the display of medical images, 06/06/2006. US 7058901 B1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Bor whose telephone number is 571-272-2947. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eleni Mantis-Mercader can be reached on 571-272-4740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

hcb

  
ELENI MANTIS MERCADER  
SUPERVISORY PATENT EXAMINER